



County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration
500 West Temple Street, Room 713, Los Angeles, California 90012
(213) 974-1101
<http://ceo.lacounty.gov>

WILLIAM T FUJIOKA
Chief Executive Officer

January 14, 2009

To: Each Supervisor

From: William T Fujioka
Chief Executive Officer

Board of Supervisors
GLORIA MOLINA
First District

MARK RIDLEY-THOMAS
Second District

ZEV YAROSLAVSKY
Third District

DON KNABE
Fourth District

MICHAEL D. ANTONOVICH
Fifth District

FINAL REPORT OF CURRENT COUNTY REQUEST FOR PROPOSALS; UPDATE ON SCORING POLICY, PROPOSITION A CONTRACT ANALYSIS, AND PROTEST POLICY

On November 25, 2008, pursuant to Board Order 39-A, your Board instructed the Chief Executive Office (CEO) to report back with the current status of open Request for Proposals (RFPs) with respect to the methodology for scoring the proposals. In addition, under the above-referenced Board Order and additionally, pursuant to Board Order 38 on December 2, 2008, your Board instructed our Office, with applicable departments, to respond to various mandates. In summary and as described in more detail below, your Board instructed us: (a) to develop a uniform proposal scoring policy; (b) to evaluate the release of Proposition A contract cost analysis once the RFP closes; (c) to recommend guidelines for review of certain amendments to Proposition A contracts; and (d) to recommend revisions to the Services Contract Solicitation Protest Policy. This memorandum provides the final report on the status of open RFPs and provides an update on these other Board directives.

Survey of Outstanding RFPs

On December 10, 2008, this Office provided your Board with the initial results of our survey and we indicated we would return to your Board with the final results of survey after all replies have been received. This correspondence serves as our final response. Please note the majority of departments with open RFPs indicated their intent to use the consensus method to evaluate their RFPs. However, we have confirmed that departments that had yet to begin the scoring process of their RFPs as of November 21, 2008, and had not indicated in their RFPs that consensus scoring would be the scoring method, have now switched from consensus scoring to an alternative method of scoring.

"To Enrich Lives Through Effective And Caring Service"

**Please Conserve Paper – This Document and Copies are Two-Sided
Intra-County Correspondence Sent Electronically Only**

Please note the following survey results:

- All departments responded to the survey with 22 departments indicating they do not have any open RFPs;
- Of the 18 departments with open RFPs, there are 62 RFPs underway;
- 47 (or 76 percent) of these open RFPs indicate consensus scoring had been the planned evaluating methodology and, in most cases, departments had already completed their scoring process for these RFPs before the moratorium on consensus scoring went into effect;
- For the six RFPs that had not yet been scored before the moratorium went into effect and did not indicate consensus scoring would be the utilized scoring method, all of these RFPs have been switched from consensus scoring to an alternative method of scoring; and
- 13 of the RFPs indicate averaging/cumulative scoring as the planned methodology.

More detailed information of the survey results can be obtained from Martin Zimmerman at (213) 974-1326 or mzimmerman@ceo.lacounty.gov.

Departments have been made aware of your directive that consensus scoring not be utilized on any solicitations issued on or after November 21, 2008. As part of your mandate, for solicitations issued prior to this date, that did not refer to the scoring method to be used and where scoring was not underway, consensus scoring shall not be utilized until a uniform and consistently applied contracting policy based upon the results of a comprehensive review of practices in other jurisdictions is approved by your Board.

Proposal Scoring Policy

In addition to the above, on November 25, 2008, pursuant to Board Order 39-A, your Board instructed the Director of Internal Services, County Counsel, and the Acting Auditor-Controller to:

- Jointly undertake a comprehensive review of contracting policies and practices in other jurisdictions, giving particular attention to the relative merits of the consensus vs. averaging scoring method; and
- Return to your Board within 60 days with findings and recommendations to develop a new, consistent and uniformly applied contracting policy for the County to adopt as the "best practice," provided that such policy incorporate provisions permanently prohibiting the destruction, and requiring the retention, of all scoring and evaluation materials.

Our Office, in collaboration with the named departments, formed a workgroup to respond to your Board's directive. We will require additional time in order to complete

our review and analysis and, as such, we will return to your Board on **March 3, 2009**, with our final recommendation for your consideration.

Proposition A Contract Cost Analysis and Guidelines for Review of Certain Proposition A Contract Amendments

Also on November 25, 2008, pursuant to Board Order 39-A, your Board instructed County Counsel to report back to the Board in 60 days on: a) whether or not the Proposition A analysis can be released once the RFP closes; and b) recommendations on establishing guidelines for an additional review of Proposition A contracts when departments are making substantive amendments, asking for additional compensation, or expanding the scope of the work.

Please note that at its December 18, 2008 meeting, the Audit Committee instructed the Acting Auditor-Controller to provide a summary of Proposition A contracts with dollar amounts by January 15, 2009. The Audit Committee will then use that information to reevaluate the policy previously approved by them requiring the Auditor-Controller to review only Proposition A contracts, renewals, and amendments of \$1 million dollars a year or more. In order to evaluate the results of that Audit Committee meeting prior to responding to this portion of Board Order 39-A, the previously noted workgroup will return to your Board on **March 3, 2009**, with our recommendations in response to your mandates regarding Proposition A contracts.

Protest Policy

Finally, on December 2, 2008, your Board instructed the CEO, in conjunction with the Director of Internal Services, County Counsel, and other affected departments, to review the Services Solicitation Protest Policy and make recommendations for changes to the Policy, including consideration of applying the Policy to all service contact solicitations, as well as solicitations for franchise agreements, and consideration of allowing the public time to review all proposals and for filing of protests prior to the contract recommendation being presented to your Board. As previously noted, we formed a workgroup to address your Board's mandates regarding County contracting practices and we plan to return to your Board on **March 3, 2009**, with our revised Protest Policy consistent with your directive.

Please let me know if you have any questions regarding this matter, or your staff may contact Martin Zimmerman at the previously noted contact information.

WTF:ES
MKZ:VLA:pg

c: All Department Heads